IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 30TH JANUARY 2007 / 10TH MAGHA 1928

Bail Appl..No. 397 of 2007()

CRIME NO. 48/06 OF TIRUPURAM EXCISE RANGE

PETITIONER:

SANJU, AGED 22 YEARS,
S/O. SUDHAKARAN, RESIDING AT RANJU NIVAS,
RAMAPURAM, ATHIYANNOOR VILLAGE,NEYYATTINKARA TALUK
THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.GEO PAUL
SRI.SANU MATHEW

RESPONDENTS:

STATE OF KERALA,
REPRESENTED BY EXCISE INSPECTOR, TIRUPURAM EXCISE
RANGE, BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 397 of 2007

DATED: 30th January, 2007

O R D E R

Petitioner who is the accused in Crime No. 48/06 of Tirupuram Excise Range for an offence punishable under Sections 55 (a) of the Abkari Act for allegedly having been found in possession of 421 litres of spirit in a house at Neyyattinkara on 19-12-2006, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application submitting inter-alia that the petitioner is an accused in four other cases involving abkari offences.

4. It is too early to accept the petitioner's contention that he has been falsely implicated by the excise officials out of personal enmity. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same date on which it is filed.

With the above observation this application is disposed of.

V.RAMKUMAR, JUDGE.

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